

REMARKS

The specification has been amended to update the status of the parent. Independent claim 15 has been amended to clarify the invention. Claim 18 has been amended to correct a punctuation error.

The Examiner's rejection of claims 15-17 and 20 under 35 USC § 102 as anticipated by Yamazaki et al. (U.S. Patent 6,046,469), is in error. Applicants' independent claim 15 requires that a lower electrode is formed on a barrier layer, and that the barrier layer is a triplelayer structure of a first metal film, a metal nitride film and a second metal film formed in that order. Yamazaki et al. does not teach these features of claim 15. Yamazaki et al. defines a lower electrode as both a platinum-rhodium alloy film 14 and a first platinum-rhodium alloy oxide film 15 (column 3, lines 45-47). Nowhere does Yamazaki et al. teach the lower electrode (films 14 and 15) being formed on a metal film, a metal nitride film and a second metal film (Figure 1). Thus, Yamazaki et al. cannot anticipate claim 15, nor claims 16, 17 and 20 which depend thereon.

Moreover, this distinction is more than merely academic. As noted in Applicants' sworn specification, forming the barrier layer as a triplelayer structure in which a metal nitride film is inserted between two metal layers is important in order to effectively prevent peeling of the lower electrode. (See page 5, line 24 to page 7, line 4). Yamazaki et al. does not teach or suggest this.

Thus, neither claim 15, nor any of the claims dependent thereon, including claims 18, 19 and 21-25 which have been rejected under 35 USC § 103 as obvious over Yamazaki et al. (U.S. Patent 6,046,469), can be said to be anticipated by or obvious from Yamazaki et al.

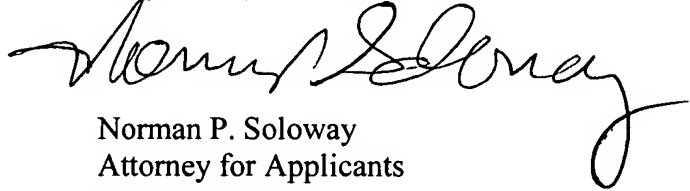
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Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



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